

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: ) Confirmation No.: 3823  
Nobuharu OHSAWA et al. ) Group Art Unit: 1794  
Serial No.: 10/590,703 ) Examiner: Marie R. Yamnitzky  
Filed: August 25, 2006 )  
For: LIGHT EMITTING ELEMENT AND )  
LIGHT EMITTING DEVICE )

**SUPPLEMENTAL RESPONSE**

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The present *Supplemental Response* supplements the *Amendment* filed on November 9, 2009, and is submitted further in response to the Official Action dated August 7, 2009.

Paragraph 7 of the Official Action rejects claims 50-67, 71 and 72 as obvious based on U.S. Patent No. 7,238,806 to Inoue. Paragraph 8 of the Official Action rejects claims 50-67, 71 and 72 as obvious based on U.S. Publication No. 2005/0191527 to Fujii. In order to overcome these rejections, verified English translations of priority applications JP 2004-151035 filed May 20, 2004; JP 2004-226382 filed August 3, 2004; and JP 2004-231742 filed August 6, 2004 are submitted herewith. Since Inoue has an earliest effective U.S. filing date of December 28, 2004, and Fujii has an earliest effective U.S. filing date of February 23, 2005, which are later than the filing dates of JP-2004-151035, JP-2004-226382 and JP-2004-231742, the Applicant respectfully submits that the rejections under § 103 should be overcome. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are in order and respectfully requested.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

  
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